

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

481I0634

## HOUSE COMMERCE COMMITTEE ENGROSSED NO. **HB 1128** - 02/11/2003

Introduced by: Representatives Solum and Smidt and Senators Sutton (Dan) and Abdallah

1 FOR AN ACT ENTITLED, An Act to revise the requirements for notice of nonrenewal for  
2 surety insurance.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 58-1-14 be amended to read as follows:

5 58-1-14. Notice of refusal to renew an insurance policy as defined in §§ 58-9-5 to 58-9-30,  
6 inclusive, 58-9-32 and 58-9-33, ~~inclusive~~, is not effective unless mailed or delivered by the  
7 insurer to the named insured at least sixty days before the effective renewal date. The policy  
8 provisions control if the policy provides for a notice of refusal to renew that exceeds sixty days.  
9 This section does not apply to the cancellation and nonrenewal of automobile policies or  
10 coverages as defined in § 58-11-45 or to a policy of homeowner's insurance. This section also  
11 does not apply to any other personal lines policy. A notice of refusal to renew any other personal  
12 lines policy is not effective unless mailed or delivered by the insurer to the named insured at least  
13 thirty days before the effective renewal date. A notice of nonrenewal is not required if the  
14 policyholder is transferred to an insurer that is a member of the same insurance group as the  
15 previous insurer and notice of such transfer is given in the form adopted by rule by the Division



1 of Insurance pursuant to chapter 1-26.

2 Section 2. That chapter 58-1 be amended by adding thereto a NEW SECTION to read as  
3 follows:

4 Notice of refusal to renew an insurance policy as defined in § 58-9-31 is not effective unless  
5 mailed or delivered by the insurer to the named insured at least thirty days before the effective  
6 renewal date. The policy provisions control if the policy provides for a notice of refusal to renew  
7 that exceeds thirty days.